

EXHIBIT 1

**[*PROPOSED*] ORDER GRANTING TRUSTEE’S MOTION *IN LIMINE*
NUMBER 1 TO ADMIT PLEA ALLOCUTIONS OF
BERNARD L. MADOFF AND BLMIS EMPLOYEES**

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and Bernard L.
Madoff,

Plaintiff,

v.

BAM L.P., MICHAEL MANN, and MERYL
MANN,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04390 (SMB)

**[PROPOSED] ORDER GRANTING TRUSTEE’S MOTION
IN LIMINE NUMBER 1 TO ADMIT PRIOR TESTIMONY
OF BERNARD L. MADOFF AND BLMIS EMPLOYEES**

Upon consideration of the Trustee’s Motion *in Limine* Number 1 To Admit The
Testimony of Bernard L. Madoff and BLMIS Employees (the “Motion”) dated November 19,
2018, ECF No. ___, filed by Irving H. Picard, as trustee (“Trustee”) for the liquidation of the
business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities
Investor Protection Act, 15 U.S.C. § 7aaa *et seq.*, and the substantively consolidated estate of
Bernard L. Madoff (“Madoff”), the Declaration of Dean D. Hunt in Support of the Motion dated
November 19, 2018, ECF No. ___; and it appearing that due and proper notice of the Motion and
the relief requested therein having been given, and no other further notice needing to be given;

and a hearing having been held on the Motion on ____ (the “Hearing”); and this Court having jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having reviewed the Motion, responsive pleadings, the arguments of counsel at the Hearing and the record in this case; and for the reason set forth in the transcript of the Hearing on the Motion, **IT IS HEREBY:**

ORDERED, that the relief requested in the Motion is granted to the extent set forth herein; and it is further

ORDERED, that the criminal plea allocution of Bernard L. Madoff in *United States v. Madoff*, No. 09-CR-213 (DC) (S.D.N.Y.), as presented in the Declaration of Dean D. Hunt in Support of the Motion as Exhibit 1, is hereby admissible in the above-referenced adversary proceeding; and it is further

ORDERED, that the criminal plea allocution of Frank DiPascali in *United States v. DiPascali*, No. 09-CR-764 (RJS) (S.D.N.Y.), as presented in the Declaration of Dean D. Hunt in Support of the Motion as Exhibit 2, is hereby admissible in the above-referenced adversary proceeding; and it is further

ORDERED, that the criminal plea allocution of David Kugel in *United States v. Kugel*, No. 10-CR-228 (LTS) (S.D.N.Y.), as presented in the Declaration of Dean D. Hunt in Support of the Motion as Exhibit 3, is hereby admissible in the above-referenced adversary proceeding; and it is further

ORDERED, that the criminal plea allocution of Irwin Lipkin in *United States v. Lipkin*, No. 10-CR-228 (LTS) (S.D.N.Y.), as presented in the Declaration of Dean D. Hunt in Support of the Motion as Exhibit 4, is hereby admissible in the above-referenced adversary proceeding; and it is further

ORDERED, that the Court retains jurisdiction to enforce and implement the terms and provisions of this order

Dated: New York, New York
_____, 2018

HONORABLE STUART M. BERNSTEIN
United States Bankruptcy Judge